

OFFICE OF THE BURT COUNTY CLERK  
**Minutes of the Burt County Board of Supervisors**  
**April 12, 2023**  
 TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Wednesday, April 12, 2023 in the County Boardroom on the 2<sup>nd</sup> floor of the Burt County Courthouse in Tekamah, Nebraska, pursuant to adjournment of their last meeting. Notice of the meeting was given in advance thereof by Publication in the Oakland Independent (4-6-2023), upon a 1<sup>st</sup> floor bulletin board within the courthouse and on the County’s Website. A copy of the proof of publication is on file in the office of the County Clerk. The following members were present: David Schold, Gary “Bird” Swanson, Jeff Kutchera, Paul Richards, Carl Pearson, Sam Titus and Ted Connealy.

The meeting opened at 9:00 A.M. with the pledge of Allegiance. Chairman Schold informed the public that the Open Meeting Act is posted on the wall.

The agenda was approved, upon motion by Connealy, seconded by Titus. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none.

The minutes of the 3/28/2023 Board of Supervisors meeting were approved; upon motion by Pearson, seconded by Connealy. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none.

Approval of March Reports: The County Clerk Report of Fees, the County Court Report of fines, the District Court Fee Report and Zoning Report, Fund Balances, the following Miscellaneous Receipts in the amount of \$693,818.90, and Sheriff’s Quarterly Report were all approved upon motion by Connealy, seconded by Kutchera. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none. Motion passed.

TRAILER COURT LICENSE	65.00
<b>ZONING PERMITS</b>	<b>1,400.00</b>
<b>TAX SALE REDEMPTION &lt;CO. SHARE&gt;</b>	<b>374.00</b>
<b>TAX SALE REGISTRATION FEES &lt;23 BIDDERS&gt;</b>	<b>575.00</b>
<b>TAX SALE CERTIFICATE FEES &lt;CO. SHARE&gt;</b>	<b>1,620.00</b>
<b>CO CLERK-FILING &amp; RECORDING FEES</b>	<b>2,119.00</b>
<b>CO CLERK-DOC STAMPS (COUNTY SHARE)</b>	<b>688.43</b>
<b>CO CLERK-MISC FEES</b>	<b>143.63</b>
<b>DISTRICT COURT - FILING FEES</b>	<b>290.00</b>
<b>DISTRICT COURT - COURT COST REFUNDS</b>	<b>102.00</b>
<b>DISTRICT COURT - MISC FEES &amp; REV.</b>	<b>294.75</b>
<b>DISTRICT COURT- FEES &amp; COSTS</b>	<b>72.00</b>
<b>CO COURT-MISC FEES</b>	<b>17.00</b>
<b>CO SHERIFF-MILEAGE &amp; COSTS</b>	<b>419.95</b>
<b>CO SHERIFF-SERVICE FEES</b>	<b>374.00</b>
<b>TITLE INSPECTIONS</b>	<b>380.00</b>
<b>GUN PERMITS</b>	<b>30.00</b>
<b>FINGER PRINT</b>	<b>30.00</b>
<b>CO ATTY - CHECK COLLECTION</b>	<b>10.00</b>
<b>INTEREST ON INVESTMENTS</b>	<b>3,085.81</b>
<b>OPIOID SETTLEMENTS</b>	<b>2,218.59</b>
<b>MISC REVENUE (REIMBURSE SUPPLIES ORDER)</b>	<b>150.00</b>
<b>ROAD: HIGHWAY/STREET ALLOCATION</b>	<b>124,013.53</b>
<b>ROAD: HIWAY BUYBACK</b>	<b>132,924.81</b>
<b>ROAD: BRIDGE BUYBACK</b>	<b>54,644.39</b>
<b>LODGING TAX</b>	<b>479.60</b>

ROD-PRESERVATION & MODERNIZATION	371.00
STOP	50.00
K-9 FUND - DONATIONS	300.00
CDBG - MIDWEST VET	2,771.37
INHERITANCE TAX - Patricia L. Shamburg	10,358.96
INHERITANCE TAX - Doris E. Fehrer	24,176.49
INHERITANCE TAX - Dwain R. Anderson	36,167.95
INHERITANCE TAX & INTEREST - Harold J. Bloemer	193.34
INHERITANCE TAX & INTEREST- Sharlene Norem	7,732.00
COUNTY 911 SURCHARGE	2,219.62
911 WIRELESS SERVICE FUND	3,260.32
TAX SALE REDEMPTION <HOLDING FUNDS>	22,981.39
FINES & LICENSE -COUNTY COURT REGULAR FINES	2,827.00
DECATUR FIRE - GENERAL	267.92
DECATUR FIRE - BOND	143.86
LYONS FIRE -GENERAL	25.15
LYONS FIRE -BOND	2.71
OAKLAND FIRE - GENERAL	125.82
HOMESTEAD ALLOCATION	74,897.86
IN LIEU TAXES	178,424.65

**OFFICE UPDATES (2):** (1) Emergency Manager – KC Bang (2) Sheriff – Eric Nick

**Communications (2):**

- (1) American Rescue Plan Act (ARPA) reports for Local Assistance and Tribal Consistency Fund (LATCF) (due March 31, 2023) and State and Local Fiscal Recovery Funds (SLFRF) (due April 30, 2023) have been successfully submitted to US Treasury.
- (2) 2023 Tax Sale Certification – from Robin Olson, Burt Co Treasurer per \$77-1813

**P&C Insurance:**

Kevin Brenneis from Brenneis Insurance gave an annual property insurance update explaining coverage the County carries and loss runs for the last 5 years. The renewal plan remains with Travelers for the year effective May 1, 2023 - April 30, 2024. No action was taken today; action for renewal will take place after a premium for a deductible buy-down plan is presented.

**CDBG Grant - Midwest Vet:**

Chairman Schold opened a Public Hearing at 9:46 a.m. for Community Development Block Grant (CDBG) program through the NE Department of Economic Development for Midwest Vet Services (Oakland). MVS had received grant funding of \$340,000 toward facility improvements and an additional \$7,000.00 of grant monies went to NENEDD for administration fees; public hearing today is the second of two required public hearings for the CDBG Grant and provided an update of the project. Public Comments: (a) Jeff Christensen with Northeast Nebraska Economic Development District (NENEDD) explained that all money has been drawn down and issued for the project. NENEDD will monitor the program’s performance and money will be forgiven if MVS maintains the program’s requirements. (b) Dr. Kelly Lechtenberg (Midwest Vet Services) reported that a new lab was constructed as an addition onto the current facilities and all equipment is in and functioning. He projects the facility will maintain program requirements and the CDBG Grant Program will prove valuable and successful for the services that have been created. Having no further comments, Chairman Schold closed the Public Hearing and returned to regular session at 9:55 a.m.



### **Closed Session:**

Swanson made a motion to go into *Closed Session*, Connealy seconded, and the motion passed with All Ayes. Chairman Schold declared at 9:55 A.M. the board went into closed session *for the protection of public interest to discuss collective bargaining/litigations*. Connealy made a motion to come out of Closed Session, Swanson seconded, and motion passed with All Ayes. Chairman Schold declared the public meeting back in regular session at 10:13 A.M. No action was taken during closed session.

### **Elkhorn Logan Valley Public Health Department- Interlocal Agreement:**

Gina Uhing, Director for ELVPHD presented an updated Interlocal Agreement to be signed. She explained the only change to the agreement was adding a policy that previous employees cannot serve as board members per their attorney's recommendations. Chairman Schold signed the agreement upon motion by Richards, seconded by Kutchera. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none.

### **Building & Grounds: Courthouse Roof**

Bruce Nathan, Building and Grounds Superintendent reported that current Courthouse roof conditions reflect that it is time to prepare for a re-do of the Courthouse roof; the current roof was done in 1997. Bruce shared a roof condition report and recommendations from Chris Wall with The Garland Company, Inc.; Mr. Wall has been inspecting the current roof on an annual basis. Casey Sheets from FS Contracting was present to provide his recommendations of roofing materials that are available in today's market. Supervisor Titus made a motion to instruct Bruce to move forward with the bidding process for a Courthouse roof project to be considered for FY 2023-2024; Richards seconded. Motion passed By Roll Call Vote: Ayes - Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none. Bruce will proceed with creating and publishing a notice for bids.

### **ROADS:** *Ann Chytka, Highway Superintendent*

a) *Road Signs:* Chytka reported her office will work with Road and Sign workers to create an updated sign inventory. She reported that she is going to apply for a grant to update all stop signs in the County, so stop signs will be the first priority.

b) *Road Employees 'summer' schedule:* Chytka requested the Roads department outside crews run on a weekly schedule of four (4)- ten (10) hour days from April 24, 2023 - Sept. 1, 2023, with hours being 6:00 a.m. to 4:30 p.m. Chytka explained there will be crews five (5) days a week; some will work Monday-Thursday, and some will work Tuesday-Friday. Holiday hours were addressed by Chytka stating that a Holiday will continue to reflect only 8 hours during the months that the 4-10s are in effect. Supervisor Richards moved to accept the Highway Superintendent's recommendations for the 4-10's schedule. Kutchera seconded. Motion passed By Roll Call Vote: Ayes - Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none.

### **K-9 Fund:**

Present for discussion with the Board: Sheriff Eric Nick. Sheriff Nick explained that Deputy Tristen Kautman, K-9 handler, agreed to be paid for 'K-9 handling' 30 minutes per day, every day at his current hourly wage. This equates to (0.5 hr x 365 days =) 182.5 hours per year for K-9 handling pay. After discussions about payment of handling fees, Titus made a motion to pay K-9 handling fees out of the County's General Fund (Fund 0100), Swanson seconded the motion. Chairman opened up the floor for any further discussion before taking roll call vote: Pearson and Schold expressed concerns of the handling fees not being communicated up front during the

approval and creation of the Burt County K-9 program; Swanson spoke in support of the K-9’s program and successes thus far. Roll Call Vote: Ayes – Connealy, Titus, Richards, Kutchera, Swanson and Schold. Nays – Pearson. Motion Passed. The K-9 handling expenses will reflect in a separate personal services line within the Sheriff’s budget as: 0100-651-1-0204. Any and all other K-9 expenses will be run through the K-9 fund (Fund 2430) which is supported entirely by donations.

**Board of Equalization:**

Connealy moved the Board recess at 11:12 AM for *Board of Equalization*, Titus seconded, motion passed with All Ayes. The Burt County Board of Supervisors reconvened at 11:16 AM upon motion by Swanson, seconded by Kutchera, with All Ayes. See separate BOE minutes.

**Aerial Photography:**

(previously discussed, see 2/8/2023 & 3/28/2023 Minutes) Present for discussions with the board: Katie Hart, Burt County Assessor. Burt County was last flown by gWorks in 2019. Three following options were reviewed: Eagleview; gWorks; Google Earth Pro. Hart reported that she would prefer to not consider Google Earth Pro because the company reported to her that they do not allow the County any say in when they capture their imagery; whereas the other two companies will allow the County to have a say in when they prefer the imagery is captured.

GWORKS AERIALS -vs- EAGLEVIEW PICTOMETRY	
gWorks:	1st flight in 2024 = \$48,000
	2nd flight in 2027 = \$48,000+ (gWorks quoted 'price to be determined')
	pricing is for flights only; no software programming for direct overlay capabilities.
Eagleview:	1st flight in 2023 = \$70,594.20 (\$23,531.40 per year) *price includes software package
	2nd flight in 2026 = \$70,594.20 (\$23,531.40 per year) *price includes software package
	*note: pricing includes an imagery software program. direct layover capabilities and change finder tools will be possible after 2nd flight

Hart explained to the board that use of imagery software along with flights could allow the office to cut back on staffing, but *Neb. Rev. Stat. § 77-1311.03* states that each parcel must have an in person review no less frequently than every six years. Hart stated that she is training a current staff member to do review work, she is planning to staff less reviewers than the office has previously had. Following discussions, Connealy made a motion to contract with Eagleview for two (2) flights + included software, Titus seconded. Roll Call Vote: Ayes- Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nay- Swanson. Motion passed, Burt County Assessor’s office will enter into the six (6) year contract with Eagleview. Funding was then discussed by the Board and Connealy made a motion to use the Local Assistance and Tribal Consistency Fund (LATCF) money toward the aerial imagery costs, Titus seconded. Roll Call Vote: Ayes- Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nay- Swanson. Motion passed; \$50,000.00 of LATCF money that has been receipted into the County Funds for FY 2022-2023 will be paid to Eagleview.

PUBLIC COMMENT: none.

There being no further business to come before the Board at this time, the meeting adjourned at 11:43 A.M. upon motions by Swanson and Connealy.  
Next meeting: April 28, 2023 at 9:00 A.M.

ATTEST: SARAH J. FREIDEL

DAVID SCHOLD, CHAIRMAN

BURT COUNTY CLERK

BURT COUNTY BOARD OF SUPERVISORS

*These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk's Office.*